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5 Attorney for Plaintiff,
6 Robert D. Barnhart

7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
9

10 ROBERT D. BARNHART,
11 Plaintiff,

12 vs.

13 CHEVY CHASE BANK, FSB;
14 MORTGAGE ELECTRONIC
15 REGISTRATION SYSTEMS, INC., T.D.
SERVICE COMPANY; CAPITAL
ONE, N.A.; et al.

16 Defendants.
17

) **Case No.: 2:10-cv-01070-RLH-PAL**
) **Consolidated with**
) **Case No.: 2:10-cv-01780-PMP-LRL**

) **STIPULATION AND ORDER FOR**
) **DISMISSAL WITH PREJUDICE AS**
) **TO ALL CLAIMS AGAINST**
) **CERTAIN PARTY(S)**

18 TO THE DISTRICT COURT AND TO ALL INTERESTED PARTIES:

19 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff Robert D.
20 Barnhart and Defendant T.D. Service Company, Inc., that all claims asserted by the Plaintiff in
21 the above-entitled matter, including all claims asserted in both cases making up the consolidated
22 matter, against Defendant T.D. Service Company, Inc., shall be dismissed with prejudice, with
23 the further stipulation and agreement by and between the said parties as follows: Each party
24 shall bear his/its own attorneys' fees, costs, and expenses , and each party hereto releases the
25 other party of and from any and all liability, known or unknown, one to the other, for any and
26 all claims whatsoever at all related to the bringing, maintaining, and or dismissal of this
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1 litigation, once and forever, and the aforesaid provision for mutual releases is and shall be
2 binding upon the parties undersigned, including their heirs, assigns, and successors in interest, if
3 any there may be in future, and, finally, the pending interim appeal, being Case No. 10-17848,
4 before the 9th Circuit Court of Appeals, between the parties hereto and concerning various legal
5 aspects of this District Court litigation, shall too be dismissed consistent with both the terms of
6 this stipulation and agreement and Mediation Order re Dismissal of that Court, entered on April
7 28, 2011 and filed on the same day.

8 Respectfully submitted,

9 Dated this 22nd day of June, 2011.

10
11 /s/ Jude E. Nazareth

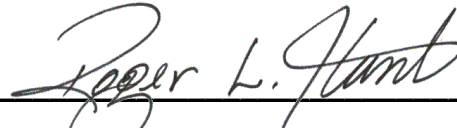
12 JUDE E. NAZARETH, ESQ.
13 10695, Post Office Box 401506
14 Las Vegas, Nevada 89140
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16 Attorney for Plaintiff Robert D. Barnhart

17 Dated this 22nd day of June, 2011.

18 /s/ Kevin S. Soderstrom

19 KEVIN S. SODERSTROM, ESQ.
20 Tiffany and Bosco, P.A.
21 (Previously Wild and Associates)
22 208 South Jones
23 Las Vegas, NV 89107
24 Attorney for Defendant T.D. Service Co., Inc.

25 **IT IS SO ORDERED:**

26 
27 UNITED STATES DISTRICT

28 ' JUDGE

DATED: June 23, 2011

CERTIFICATE OF SERVICE

I certify that on this 22nd day of June, 2011, I did serve via Case Management/Electronic Case Filing, a copy of the above and foregoing:

STIPULATION AND AGREEMENT

Addressed to:

Miranda Du, Esq.
Kristen T. Gallagher, Esq.
McDonald Carano Wilson LLP
2300 W Sahara Avenue, Suite 1000
Las Vegas, NV 89102
Attorneys for Capital One, N.A.

Kevin S. Soderstrom, Esq.
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/s/ Jude E. Nazareth

JUDE E. NAZARETH, ESQ.